



Workshops and hearings will begin at 1:30 p.m. on the following dates:

May 12, 2004

Cowlitz County Public Utility District
961 - 12th Avenue
Longview

May 13, 2004

Department of Social & Health Services
Skagit Room
900 E. College Way
Mount Vernon

May 17, 2004

Mid Columbia Library
1620 S. Union
Kennewick

May 18, 2004

Shadle Library
2111 W. Wellesley
Spokane

May 19, 2004

Hal Holmes Center
201 N. Ruby Street
Ellensburg

May 20, 2004

Pierce County Library Administrative Services Center
3005 - 112th Street E.
Tacoma

Hearing Notice

PUBLIC HEARINGS ON WASTEWATER/ STORMWATER DISCHARGE PERMIT FEES

from Ecology's Water Quality Program

Background

The Washington State Department of Ecology (Ecology) administers state and federal permits to regulate wastewater and stormwater discharges into Washington's surface and underground waters. In accordance with state water pollution control law (RCW 90.48.465), all permit holders are required to pay annual permit fees. Ecology uses the fee money to recover all eligible costs associated with operating Ecology's wastewater discharge permit program.

Every two years, Ecology amends the permit fee regulation as needed to continue funding the program. Accordingly, Ecology is proposing to make the following changes to the permit fee rule, Chapter 173-224 WAC – Wastewater Discharge Permit Fees:

Wastewater/State Waste Discharge Permit Holders

- Increase the annual permit fees for permit holders by the fiscal growth factor: 3.03% for fiscal year 2005 (July 1, 2004 through June 30, 2005) and 2.62% for fiscal year 2006 (July 1, 2005 through June 30, 2006);
- Change the definition of "animal unit" for concentrated animal feeding operations;
- Change the definition of "Noncontact Cooling Water with Additives";
- Add an "In-Vessel Water Maintenance" subcategory to the Shipyard fee category;

Stormwater Permit Coverages

- Increase the annual permit fees for construction and industrial stormwater individual permit holders by the fiscal growth factor: 3.03% for fiscal year 2005 (July 1, 2004 through June 30, 2005) and 2.62% for fiscal year 2006 (July 1, 2005 through June 30, 2006);
- Restructure the permit fee schedule for industrial and construction general permit holders;
- Establish fees for municipal separate storm sewer system permits.

Ecology held five public workshops around the state in November and December 2003 to discuss proposed amendments to the permit fee rule. Comments received were incorporated into the final draft proposal.

During the 2004 legislative session, Engrossed Substitute Senate Bill 6415 was passed requiring Ecology to begin an inspection and compliance assistance program for general stormwater permit holders by January 2005. The legislation also requires this program to be fully funded through permit fees.

April 2004

04-10-027



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With assistance from interested parties (including the Association of Washington Business and representatives of small business and the Washington building industry), Ecology is proposing to revise how fees for industrial and construction general permit holders are determined. Please see attached sheet titled "Stormwater Permit Coverage" to review the proposal under consideration.

Public Hearing Schedule

Ecology will hold a short workshop, immediately followed by a public hearing, at the following locations, dates and times:

DATE/TIME	CITY	LOCATION
May 12, 2004, 1:30 pm	Longview	Cowlitz Co. Public Utility District 961 – 12 th Avenue
May 13, 2004, 1:30 pm	Mount Vernon	Dept. of Social & Health Services 900 East College Way Skagit Room (<i>Parking in rear of building</i>)
May 17, 2004, 1:30 pm	Kennewick	Mid Columbia Library 1620 South Union
May 18, 2004, 1:30 pm	Spokane	Shadle Library 2111 West Wellesley
May 19, 2004, 1:30 pm	Ellensburg	Hal Holmes Center 201 North Ruby Street
May 20, 2004, 1:30 pm	Tacoma	Pierce County Library Administration Services Center 3005 – 112 th Street East

Ecology will accept written comments on the proposed changes until 5:00 p.m. on May 26, 2004. Comments may be sent to:

Department of Ecology
Attn: Bev Poston
P.O. Box 47600, Olympia WA 98504-7600
The fax number is (360) 407-6426
The e-mail address for comments is bpos461@ecy.wa.gov

Following the public comment period, Ecology will review and consider all comments. Ecology proposes to adopt the final rule on July 12, 2004. The rule would become effective August 13, 2004.

The proposed rule language is available for review on Ecology's website at http://www.ecy.wa.gov/programs/wq/permits/permit_fees/index.htm

For more information

If you would like more information about the hearings or the proposed changes, or would like a copy of the final changes mailed to you, please contact Bev Poston at (360) 307-6425 or send an e-mail to bpos461@ecy.wa.gov.

If you need special accommodations or require this information in an alternate format, contact us at (360) 407-6425. Those with speech or hearing impairments may call 711 or 800-833-6388 for TTY.



Stormwater Permit Coverage

(unless specifically categorized elsewhere in 173-224-040(2))

a. Individual Construction or Industrial Stormwater Permits:

	<u>FY05 Fee</u>	<u>FY06 Fee</u>
1. < 50 Acres	\$ 2,829.00	\$ 2,903.00
2. 50 - <100 Acres	\$ 5,655.00	\$ 5,803.00
3. 100 - <500 Acres	\$ 8,489.00	\$ 8,711.00
4. 500 Acres and greater	\$11,316.00	\$11,612.00

b. Facilities Covered Under the Industrial Stormwater General Permit:

	<u>FY05 Fee</u>	<u>FY06 Fee</u>
1. Municipalities and state agencies	\$650.00	\$950.00
2. New permit holders without historical gross revenue information	\$375.00	\$500.00
3. The permit fee for all other permit holders would be based upon the gross revenue of the business for the previous calendar year:		
<u>Gross Revenue</u>	<u>FY05 Fee</u>	<u>FY06 Fee</u>
Less than \$100,000	\$ 100.00	\$ 105.00
\$100,000 - < \$1,000,000	\$ 375.00	\$ 500.00
\$ 1,000,000 - < \$2,500,000	\$ 400.00	\$ 600.00
\$ 2,500,000 - < \$5,000,000	\$ 675.00	\$1,000.00
\$ 5,000,000 - <\$10,000,000	\$1,000.00	\$1,500.00
\$10,000,000 and greater	\$1,200.00	\$1,800.00

To be eligible for less than the maximum permit fee, the permit holder must provide documentation to substantiate the gross revenue claims. Documentation must be provided annually in a manner prescribed by the department. The documentation must bear a certification of correctness and be signed:

- (i) In the case of a corporation, by an authorized corporate officer;
- (ii) In the case of a limited partnership, by an authorized general partner;
- (iii) In the case of a general partnership, by an authorized partner; or
- (iv) In the case of a sole proprietorship, by the proprietor.

The Department may verify the information contained in the submitted documentation and, if it determines that the permit holder has made false statements, may deny the adjustment, revoke previously granted fee adjustments, or take other actions deemed appropriate or required under state or federal law.

c. Construction Activities Covered Under the Construction Stormwater General Permit(s):

	<u>FY05 Fee</u>	<u>FY06 Fee</u>
1. Less than 5 Acres of disturbed area	\$350.00	\$ 375.00
2. 5 - < 7 Acres of disturbed area	\$400.00	\$ 610.00
3. 7 - <10 Acres of disturbed area	\$550.00	\$ 825.00
4. 10 - <20 Acres of disturbed area	\$750.00	\$1,125.00
5. 20 Acres and greater of disturbed area	\$925.00	\$1,400.00

